

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-4735

UNITED STATES OF AMERICA

v.

JOHN COOLEY,
Appellant

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
(D.C. No. 02-cr-00040E)

District Judge: Honorable Sean J. McLaughlin

Submitted Under Third Circuit L.A.R. 34.1(a)
October 27, 2006
Before: Smith, Weis, and Nygaard, Circuit Judges.

JUDGMENT

This cause came to be heard on the record from the United States District Court for the Western District of Pennsylvania and was submitted on October 27, 2006.

On consideration whereof, it is here now ORDERED AND ADJUDGED by this Court that the Order of the said District Court entered October 21, 2005 be, and the same is hereby affirmed.

All of the above is in accordance with the Opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron
Clerk

Dated: November 8, 2006

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**Certified as a true copy and issued in lieu
of a formal mandate on May 1, 2007**

Teste: *Marcia M. Waldron*
Clerk, U.S. Court of Appeals for the Third Circuit